DEVELOPMENT SERVICES DEPARTMENT
ENVIRONMENTAL COORDINATOR
450 110th Ave NE., P.O. BOX 90012
BELLEVUE, WA 98009-9012

OPTIONAL DETERMINATION OF NON-SIGNIFICANCE (DNS) NOTICE MATERIALS

The attached materials are being sent to you pursuant to the requirements for the Optional DNS Process (WAC 197-11-355). A DNS on the attached proposal is likely. This may be the only opportunity to comment on environmental impacts of the proposal. Mitigation measures from standard codes will apply. Project review may require mitigation regardless of whether an EIS is prepared. A copy of the subsequent threshold determination for this proposal may be obtained upon request.

File No. 17-111163-WE

Project Name/Address: Meydenbauer Bay Stormwater Outfall Maintenance

Planner: Reilly Pittman

Phone Number: 425-452-4350

Minimum Comment Period: June 1, 2017

Materials included in this Notice:

- ☒ Blue Bulletin
- ☒ Checklist
- ☒ Vicinity Map
- ☒ Plans
- ☐ Other:

OTHERS TO RECEIVE THIS DOCUMENT:

- ☒ State Department of Fish and Wildlife / Sterwart.Reinbold@dfw.gov; Christa.Heller@dfw.wa.gov;
- ☒ State Department of Ecology, Shoreline Planner N.W. Region / Jobu461@ecy.wa.gov; sepaunit@ecy.wa.gov
- ☒ Army Corps of Engineers Susan.M.Powell@nws02.usace.army.mil
- ☒ Attorney General ecyolyef@atg.wa.gov
- ☒ Muckleshoot Indian Tribe Karen.Walter@muckleshoot.nsn.us; Fisheries.fileroom@muckleshoot.nsn.us

SEPA Checklist reviewed by Reilly Pittman on 5/12/17

DEVELOPMENT SERVICES DEPARTMENT
450 110TH AVENUE NE
BELLEVUE, WA 98009-9012

SEPA Environmental Checklist

If you need assistance in completing the checklist or have any questions regarding the environmental review process, please visit the Land Use Desk in the Permit Center between 8 a.m. and 4 p.m., Monday through Friday (Wednesday, 10 to 4) or call or email the Land Use Division at 425-452-4188 or landusereview@bellevuewa.gov. Assistance for the hearing impaired: Dial 711 (Telecommunications Relay Service).

Purpose of checklist:
The City of Bellevue uses this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants:
This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies and reports. Please make complete and accurate answers to these questions to the best of your ability in order to avoid delays.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The City may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

PLEASE REMEMBER TO SIGN THE CHECKLIST. Electronic signatures are also acceptable.

A. Background [help]

1. Name of proposed project, if applicable: [help]
   Meydenbauer storm outfall sediment removal

2. Name of applicant: [help]
   City of Bellevue Utilites-Storm

3. Address and phone number of applicant and contact person: [help]
   Tanya MacFarlane-Water Quality-Bellevue Utilities, 425.452.7901, 2910 115th Avenue NE, Bellevue, WA 98004

4. Date checklist prepared: [help]
   April 20, 2017

5. Agency requesting checklist: [help]
   City of Bellevue, Land Use and Development Service

6. Proposed timing or schedule (including phasing, if applicable): [help]
   Per Fish and Wildlife fish windo. After July 15, 2017

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain. [help]
   Yes, continued maintenance of stormwater outfall as needed. Likely 2019 or 2020.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal. [help]
   None

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain. [help]
   Critical Areas Land Use Permit, Shoreline Development Permit. HPA-Washington State Department of Fish and Wildlife, Control #130113-1, exp April 18, 2018. Army Corps of Engineers Reference #NWS-2005-1459, Nationwide Permit 3, expires March 18, 2018.

10. List any government approvals or permits that will be needed for your proposal, if known. [help]
    City of Bellevue Clear and Grade and City of Bellevue Landuse, Shoreline Exemption with SEPA

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.) [help]
    This is a sediment removal project only. Approximately 150 cubic yards of sediment that lies below the water surface will be removed, just downstream of the Meydenbauer Stormwater outfall at the Yacht Club. Contract scuba divers will be brought in to vacuum sediment of the bottom of the bay and contained in Baker tanks for settling before the sediment will be hauled for disposal.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist. [help]
9927 Meydenbauer Way SE, in the water at the Meydenbauer Yacht Club. The area is just south of the 4 boat slips, directly west of the Meydenbauer stormwater outfall.

B. Environmental Elements [help]

1. Earth [help]

a. General description of the site: [help] (select one): ☐Flat, ☒rolling, ☐hilly, ☐steep slopes, ☐mountainous, other: *underwater sediment and stormwater outfall.*

b. What is the steepest slope on the site (approximate percent slope)? [help]
6.5%

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils. [help]
Stormwater related sands and muck.

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe. [help]
No indications of instability

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill. [help]
No fill. Excavation of 150 cubic yards of stormwater outfall debris

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe. [help]
Stormwater outfall has an energy dissipater to reduce erosion and help settle out the stormwater sediments.

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)? [help]
Zero. No impervious surfaces, nothing contructed, built or brought onto site that will remain after stormwater sediment removal.

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any: [help]
A silt curtain will be used with the project area where sediment removal occurs and silt fencing will be placed at the edges of the parking lot to collect any sediment that is

realeased after the water has passed through a series of holding tanks before it re-enters the lake.

2. Air [help]

a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known. [help]
None after project is completed. There will be automobiles coming to and from the site suring the 1 week of construction. Baker tanks will be dropped and then picked up. Equipment deployed and retrieved, workers will come to the site as well as inpectors. A trash pump will be used to collect sediment.

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe. [help]
Intermittent Auomobile exhaust.

c. Proposed measures to reduce or control emissions or other impacts to air, if any: [help]
Efficiency with project set up, break down and during sediment removal to minimize the number of days of sediment removal.

3. Water [help]

a. Surface Water :

1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into. [help]
Work will occur within Lake Washington.

2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans. [help]
Yes, excavation of sediment from the bottom of Lake Washington at the Meydenbauer stormwater outfall.

3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material. [help]
No fill material. 150 cubic yards of excavated stormwater outfall sediment will be removed.

4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known. [help]
Surface water will be withdrawn with the sediment. Once the sediment has settled out, the water will be discharged back into the energy dissipator of the stormwater outfall.

5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan. [help]
No

6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge. [help]
No

b. Ground Water:

1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known. [help]
No

2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals…; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve. [help]
None

c. Water runoff (including stormwater):

1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe. [help]
The water will be re-released back into Lake Washington through the stormwater structure energy dissipator once the sediment has settled out of the water. Qualtity of water is unknown.

2) Could waste materials enter ground or surface waters? If so, generally describe. [help]
Waste material is being taken out of Lake Washington. If a tragic event happened, that same waste could enter back into the same place it was withdrawn from.

3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe. [help]
It may very slightly improve flow out of the Meydenstormwater outfall by creating a gradient.

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any: [help]
Baker tanks will hold water until the sediemnts have settled out. At this point the lake water will be discharged back into the lake via stormwater enery dissipator.

4. Plants [help]

a. Check the types of vegetation found on the site: [help]
☐deciduous tree: alder, maple, aspen, other: *Click here to enter text.*
☐evergreen tree: fir, cedar, pine, other: *Click here to enter text.*
☐shrubs
☐grass

☐pasture
☐crop or grain
☐Orchards, vineyards or other permanent crops.
☐wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other: *Click here to enter text.*
☒water plants: water lily, eelgrass, milfoil, other: *Click here to enter text.*
☐other types of vegetation: *Click here to enter text.*

b. What kind and amount of vegetation will be removed or altered? [help]
Very little water plants as very few water plants have grown in the stormwater outfall sediment.

c. List threatened and endangered species known to be on or near the site. [help]
None known, potentially smigrating salmonid but work will be done outside of the fish window per Washington State Department of Fish and Wildlife

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any: [help]
None known, potentially smigrating salmonid but work will be done outside of the fish window per Washington State Department of Fish and Wildlife.

e. List all noxious weeds and invasive species known to be on or near the site. [help]
none

5. Animals [help]

a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site. [help]

Examples include:

birds: ☐hawk, ☐heron, ☐eagle, ☐songbirds, other: *Click here to enter text.*
mammals: ☐deer, ☐bear, ☐elk, ☐beaver, other: *Click here to enter text.*
fish: ☐bass, ☐salmon, ☐trout, ☐herring, ☐shellfish, other: *Click here to enter text.* **Chinook and Sockeye salmon, Steelhead and Bullhead Trout**

b. List any threatened and endangered species known to be on or near the site. [help]
Have not seen any but presumably heron and eagle fish in the water adjacent to the site.

c. Is the site part of a migration route? If so, explain. [help]
No. It is at a stormwater outfall.

d. Proposed measures to preserve or enhance wildlife, if any: [help]
Will remove fish outside silt curtain if found.

e. List any invasive animal species known to be on or near the site. [help]
none

6. Energy and Natural Resources [help]

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc. [help]
Gas to run the trash pump

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe. [help]
no

c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any: [help]
Only run the trash pump when actively removing sediment.
Minimize automobile trips to reduce carbon emmisions.

7. Environmental Health [help]

a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe. [help]
Potential fuel spill

1) Describe any known or possible contamination at the site from present or past uses. [help]
Fuel spill from boat owners adjacent to the site.

2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity. [help]
None

3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project. [help]
Petroleum products for fueling pump

4) Describe special emergency services that might be required. [help]
Click here to enter text.
None

5) Proposed measures to reduce or control environmental health hazards, if any: [help]
Click here to enter text.
Oil booms and spill kits

b. Noise [help]

1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)? [help]
Click here to enter text.
None

2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indi-cate what hours noise would come from the site. [help]
Noise from machinery that is removing sediment

Click here to enter text.

3) Proposed measures to reduce or control noise impacts, if any: [help]
Click here to enter text.

Noise is subject to City Noise code 9.18

8. Land and Shoreline Use [help]

a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe. [help]
Click here to enter text.

Marina

b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use? [help]
Click here to enter text.

No

1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how: [help]
Click here to enter text.

No

c. Describe any structures on the site. [help]
Click here to enter text.

Marina structures, docks, boat lifts

d. Will any structures be demolished? If so, what? [help]
Click here to enter text.

No

e. What is the current zoning classification of the site? [help]
Click here to enter text.

Upland is zoned R-30

f. What is the current comprehensive plan designation of the site? [help]
Click here to enter text.

MF-H, Multifamily High Density

g. If applicable, what is the current shoreline master program designation of the site? [help]
Spill response from City of Bellevue

h. Has any part of the site been classified as a critical area by the city or county? If so, specify. [help]
no

i. Approximately how many people would reside or work in the completed project? [help]
6 people

j. Approximately how many people would the completed project displace? [help]
none

k. Proposed measures to avoid or reduce displacement impacts, if any: [help]
none

l. Proposed measures to ensure the proposal is compatible with existing and projected land

RP

uses and plans, if any: [help]
Nothing is being altered but the stormwater outfall sediment that is being removed.

m. Proposed measures to ensure the proposal is compatible with nearby agricultural and forest lands of long-term commercial significance, if any: [help]
There are no impacts

9. Housing [help]

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing. [help]
None

b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing. [help]
None

c. Proposed measures to reduce or control housing impacts, if any: [help]
None

10. Aesthetics [help]

a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed? [help]
None, project is underwater

b. What views in the immediate vicinity would be altered or obstructed? [help]
nothing

c. Proposed measures to reduce or control aesthetic impacts, if any: [help]
No aesthic impacts

11. Light and Glare [help]

a. What type of light or glare will the proposal produce? What time of day would it mainly occur? [help]
none

b. Could light or glare from the finished project be a safety hazard or interfere with views? [help]
none

c. What existing off-site sources of light or glare may affect your proposal? [help]
none

d. Proposed measures to reduce or control light and glare impacts, if any: [help]
none

12. Recreation [help]

a. What designated and informal recreational opportunities are in the immediate vicinity? [help]
Boat moorage

b. Would the proposed project displace any existing recreational uses? If so, describe. [help]
Yes, one week of disturbace. The four boat slips adjacent to the project will not be able to be used. This has been coordinated with the Meydenbauer Bay Yacht Club.

c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any: [help]
Coordination and timing of sediment removal agreeable to to the Meydenbauer Bay Yacht Club.

13. Historic and cultural preservation [help]

a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers located on or near the site? If so, specifically describe. [help]
There are buildings several hundred feet away, on the same property that are historical. The Whalers Boat House.

b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources. [help]
No

c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc. [help]
The area has been notified in the past, as this work was done in 2014 and 2008. No one came forth with any information.

d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required. [help]
none

14. Transportation [help]

a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any. [help]
Meydenbauer Way Se and staging will occur all within the Meydenbauer Yacht Club property.

b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop? [help]
0.5 miles on Bellevue Way

c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate? [help]
none

d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private). [help]
none

e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe. [help]
no

f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates? [help]
none

g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe. [help]
no

h. Proposed measures to reduce or control transportation impacts, if any: [help]
There will not be any

15. Public Services [help]

a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe. [help]
no

b. Proposed measures to reduce or control direct impacts on public services, if any. [help]
no

16. Utilities [help]

a. Circle utilities currently available at the site: [help]
electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other
electricity, telephone, water, sewer

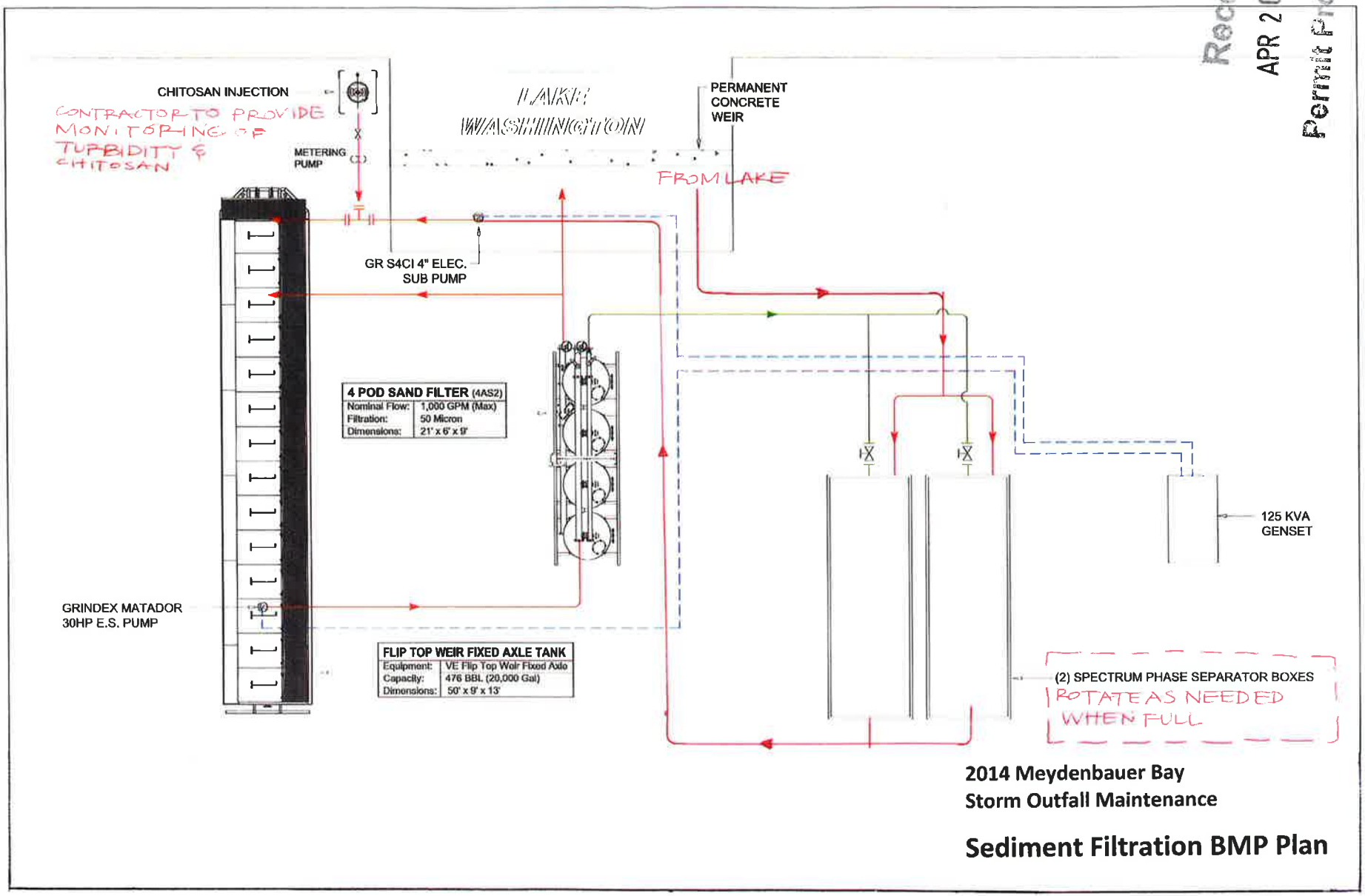
c. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed. [help]
No new proposed utilities.

C. Signature [help]

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

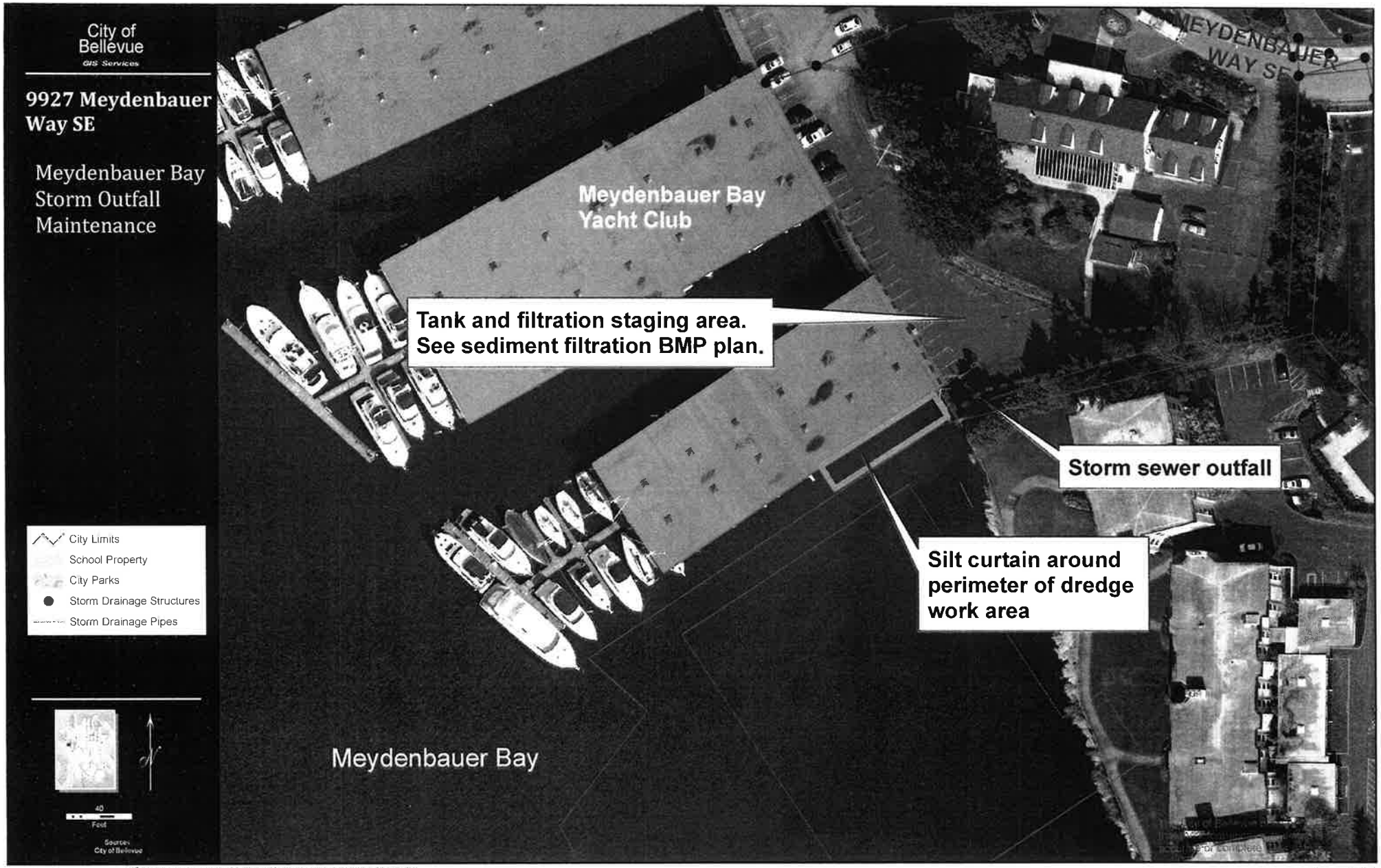
Signature: Tanya L Martin

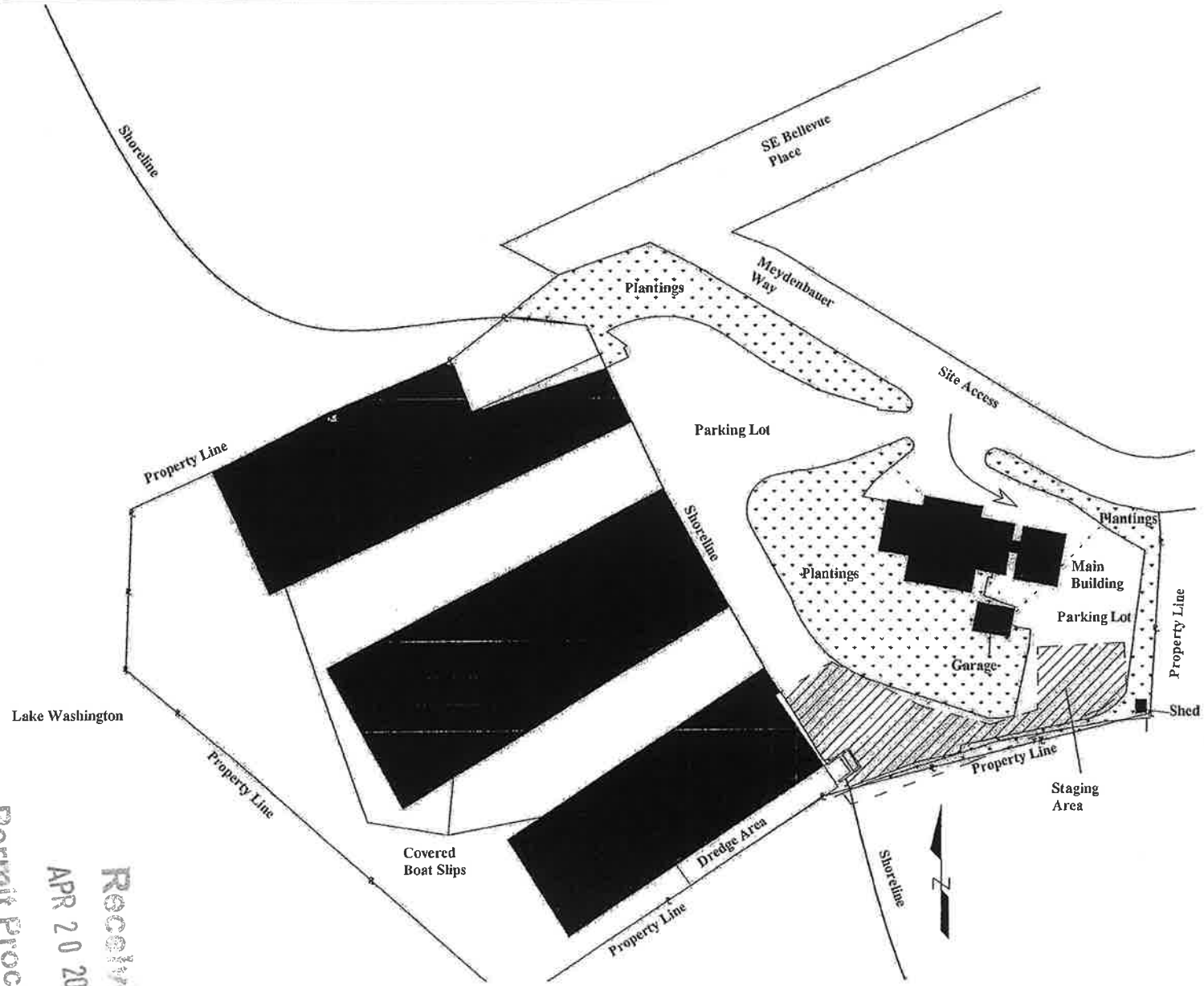
Name of signee: *Tanya MacFarlane*
Position and Agency/Organization: *Water Quality Senior Engineering Technician, City of Bellevue Utilities*
Date Submitted: *April 20, 2017*



2014 Meydenbauer Bay
Storm Outfall Maintenance

Sediment Filtration BMP Plan





General Notes:

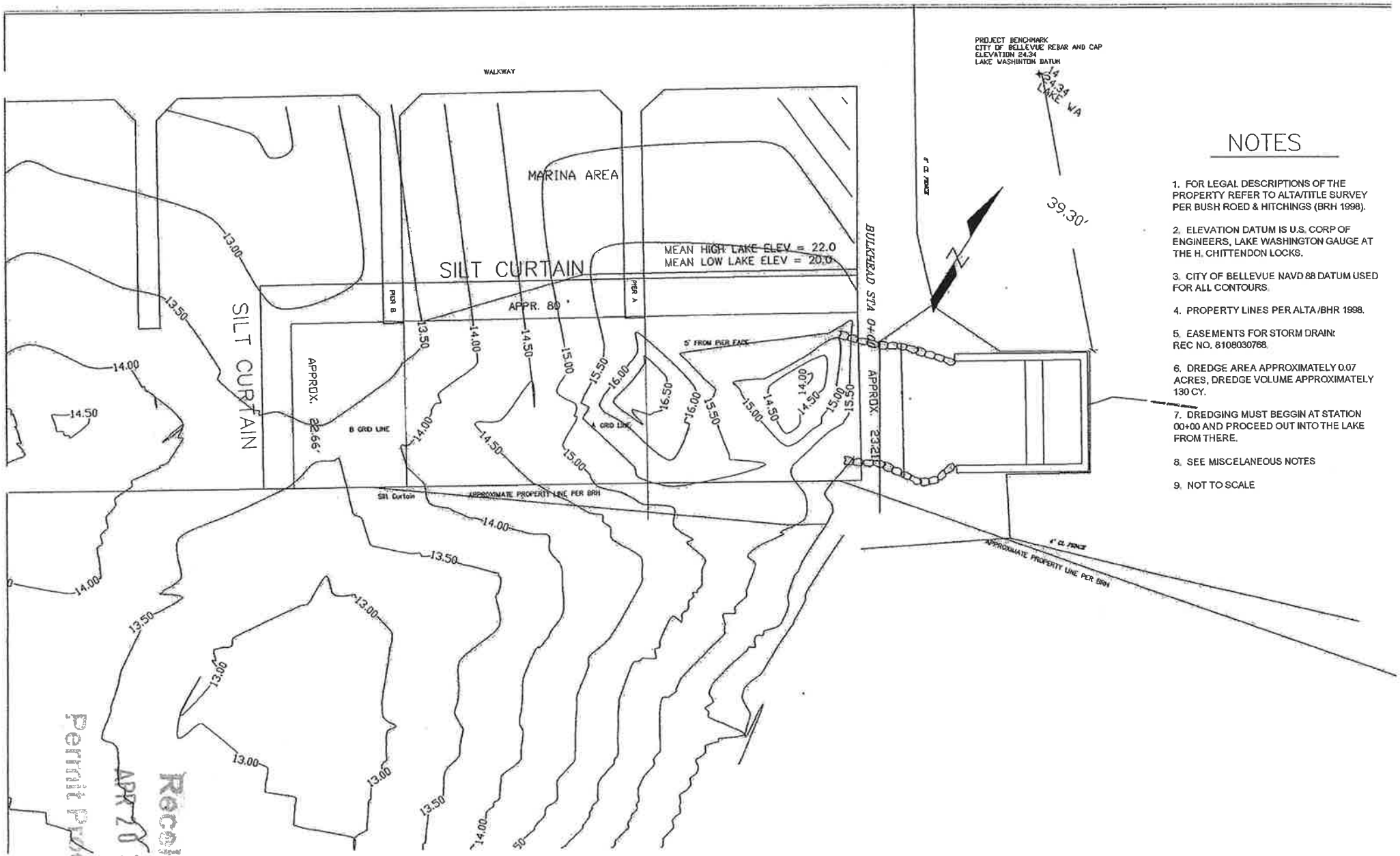
1. Utilites and physical structures are shown in approximate locations. Contractor is required to confirm all locations
2. Property Line locations are from Alta/Title survey per Bush Roed and Hitchings (BRH 1998)
3. All structure, fencing and surfaces shall be protected during construction. Contractor shall repair and/or replace any damaged structures, fencing or surfacing to Owners satisfaction.
4. Contractor is required to work in accordance with all local, state and federal permit requirements.
5. Contractor will assure best management practices to reduce impacts to water quality during construction.

SITE LAYOUT

NOT TO SCALE

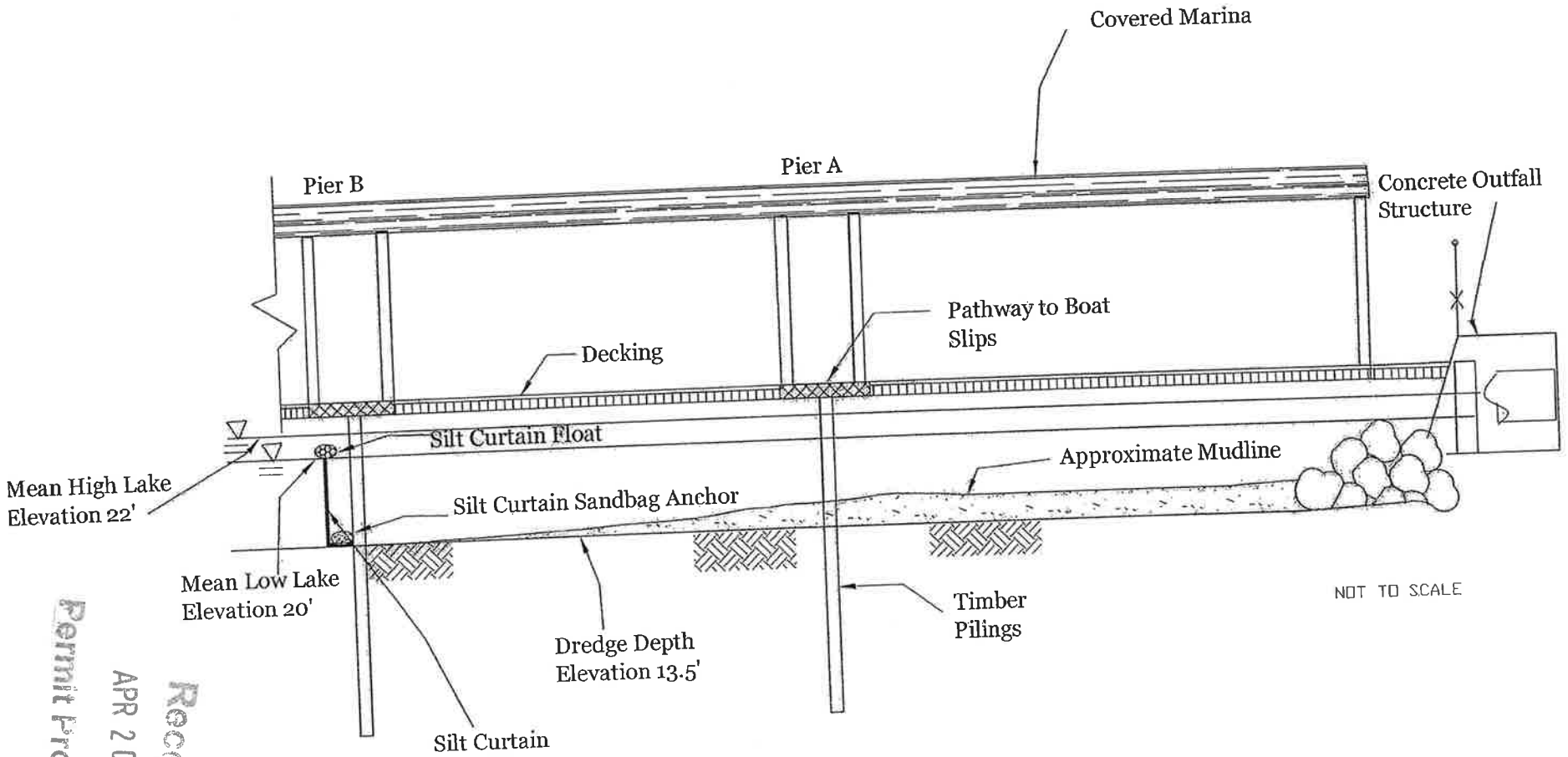
Legend

- Structure
- Planting
- Staging Area
- Property Line
- Shoreline



NOTES

1. FOR LEGAL DESCRIPTIONS OF THE PROPERTY REFER TO ALTA/TITLE SURVEY PER BUSH ROED & HITCHINGS (BRH 1998).
2. ELEVATION DATUM IS U.S. CORP OF ENGINEERS, LAKE WASHINGTON GAUGE AT THE H. CHITTENDON LOCKS.
3. CITY OF BELLEVUE NAVD 88 DATUM USED FOR ALL CONTOURS.
4. PROPERTY LINES PER ALTA /BHR 1998.
5. EASEMENTS FOR STORM DRAIN: REC NO. 8108030768.
6. DREDGE AREA APPROXIMATELY 0.07 ACRES, DREDGE VOLUME APPROXIMATELY 130 CY.
7. DREDGING MUST BEGGIN AT STATION 00+00 AND PROCEED OUT INTO THE LAKE FROM THERE.
8. SEE MISCELANEOUS NOTES
9. NOT TO SCALE



FILED NO. 7102
CITY OF BELLEVUE
DATE 7-23-81
CITY CLERK
Res # 3895

STORM DRAINAGE EASEMENT

This easement agreement made this 10th day of July, 1981 by and between Meydenbauer Bay Yacht Club, a Washington corporation, hereinafter termed "Grantor", and the City of Bellevue, a municipal corporation of the State of Washington, hereinafter termed "Grantee".

81/08/03 #0768
RECD F 8.00
CASHSL ****8.00
22

8108030768

Witnesseth:

Grantor, in consideration of $40,000.00, to be paid within 90 days of time easement document is accepted and recorded by the City with the County, and other valuable consideration, hereby grants and conveys to Grantee a perpetual easement for storm drainage purposes only over, on, and under the property legally described in Exhibit A, incorporated herein by reference, for the purpose of installing, operating, and maintaining a storm drainage pipeline and energy dissipator; and for the conveyance of storm water. Grantee agrees to limit the size of said pipeline to approximately sixty inches in diameter and to locate the pipeline strictly within the easement area. Grantee hereby commits to designing the sixty inch pipeline such that it will intercept two existing drainage lines at a location in City right-of-way adjacent to the northeast corner of Grantor's property. Grantee agrees to locate the energy dissipator structure strictly within a fenced easement area adjacent to the lake shoreline in the southwestern most portion of Grantor's property, and to limit its external dimensions to twenty feet long by twenty-five feet wide by two feet above existing grade. Grantee agrees to fully cooperate with Grantor in designing said energy dissipator so as to minimize adverse aesthetic and functional impacts on Grantor's property. Grantee also agrees to inspect and maintain (including trash and sediment removal) said pipeline, catch basins, and energy dissipator as necessary in order to preserve the design hydraulic characteristics and minimize adverse impacts, if any, on Grantor's property.

Furthermore, Grantee hereby accepts responsibility for sediment discharged from the energy dissipator and desposited off-shore to the extent that said sediment may adversely impact Grantor's customary use of its shorelands and boat moorage facilities. Specifically, Grantee will survey the off-shore lake bottom prior to construction to determine the pre-operation topography. If and when sedimentation originating from the new pipeline energy dissipator system should cause the lake bottom of Grantor's shorelands to rise by more than two inches, on average, then Grantee will remove said sediment, or at Grantee's option Grantee may remove more than said accumulation from said shoreland. Topographic stations shall be located at the entrance to each of said moorage slips and at locations approximately twenty feet away from each slip entrance. In no case can the increase exceed three inches at any given station unless there is no impact on the use of that moorage slip. Any sediment removal shall be limited to the area required for normal use of and access to Grantor's shorelands and said moorage slips. Also, in no case shall Grantee be liable for any adverse impacts caused by changes in the lake surface elevation, or for any sedimentation which occurred prior to construction of the pipeline and dissipator system or for any sediment

deposited in any location which originates from any source other than the new pipeline energy dissipator system. Any and all sediment removal from the lake shall be contingent on the City's ability to obtain necessary federal, state, and local permits. For budgeting purposes, dredging shall be planned at least one year in advance unless specifically waived by Grantee. However, under a documentable emergency condition (such as storm drainage pipeline break) where a rapid and unexpected accumulation of sediment originating from said pipeline energy dissipator system causes loss of use of a moorage slip, Grantee agrees to conduct limited dredging to remove said sediment after notification by Grantor, as soon as required permits can be obtained and City or contract personnel can be mobilized.

Grantor also grants and conveys to Grantee a perpetual easement over and across property legally described in Exhibit B, incorporated herein by reference, for the purpose of accessing said pipeline and energy dissipator for inspection and maintenance. Access shall be at times and locations which are reasonable, and are not to unduly interefere with Grantor's activities.

Grantor also grants and conveys to Grantee a temporary easement, to expire on December 31, 1982, over and across property legally described in Exhibit B for access to and construction of said pipeline and energy dissipator on the property described in said Exhibit A. Said temporary easement allows for access of the ususal and customary construction equipment and personnel at times and locations which are reasonable; provided that construction will occur during the periods from July 1, 1981 through August 30, 1981. For each day construction continues beyond August 30, until June, 1982 and for each day it continues during the period of August 30, 1982 through December 31, 1982, Grantee agrees to pay to Grantor a penalty fee of $160.00. Grantee shall immediately after the completion of said construction restore the premises to a condition equal to, or at Grantee's option better than, conditions which existed immediately prior to construction.

Grantee will remove the gate located at the southwest corner of Grantor's property and install said gate, or at Grantee's option, a new gate at a mutually agreeable location on Grantor's property. Grantee agrees to indemnify and hold Grantor harmless from any and all claims for damages or injury suffered by any person which may be caused by Grantee's exercise of the rights herein granted.

The undersigned hereby waive any requirement for a written notice and agree to surrender occupancy of the lands and/or rights herein granted upon the date of acceptance of this instrument of conveyance by the City of Bellevue.

This easement document, including all terms and requirements for transfer of rights, obligations, and payments, shall become effective when accepted and recorded by the City with the County; and shall become null and void if not so accepted and recorded prior to December 31, 1981.

In the event of any lawsuit between Grantor and Grantee seeking to enforce the terms and conditions of this Easement, or damages resulting from a breach of said terms and conditions, the prevailing party shall be entitled to reasonable attorney's fees and necessary costs and disbursements incurred in prosecuting or defending such lawsuit. As used herein, 'prevailing parties' means the party in whose favor final judgement is rendered.

The covenants herein contained shall run with the land and shall forever bind the Grantor, their successors and assigns.

Signed and executed on behalf of the Meydenbauer Bay Yacht Club:

By Richard L. Samson
COMMODORE

By Fred Ward
SECRETARY

By _____

By _____

By _____

By _____

By _____

By _____

By _____

By _____

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Accepted and Approved this _____ day of _____, 1981.

By Hugh Warren
Director of Public Works

Approved as to form:

William C. Graves
Assistant City Attorney
City of Bellevue

Accepted on behalf of the City of Bellevue

Andrea W. Beatty
Andrea W. Beatty, City Manager

KSC
7-10-81

EXHIBIT A

That portion of Government lot 5 in Section 31, Township 25 North, Range 5 East W.M., in King County, Washington described as follows:

Commencing at the Northeast corner of the Southeast Quarter of said Section 31; Thence South along the East line thereof 202.26 feet; Thence South 66°01'00" West 431.37 feet along the centerline of Southeast Bellevue Place; Thence South 33°58'45" East 30.47 feet more or less to the Southerly margin of Southeast Bellevue Place; Thence South 33°58'45" East 300.00 feet along the shore of Lake Washington; being the Southwesterly line of said government lot; Thence South 33°19'45" East 100.00 feet to the Point of Beginning of the description; Thence North 76°28'56" East 219.84 feet; Thence North 10°40'35" East 131.70 feet to the Southerly margin of Bellevue Way S.E.; Thence along said margin on a nontangent curve to the right, the center of which bears North 02°06'40" East 157.32 feet, through a central angle of 07°18'40" along an arc length of 20.07 feet; Thence leaving said margin South 10°40'35" West 112.08 feet; Thence South 81°04'39" West 66.64 feet; Thence South 74°20'49" West 125.11 feet; Thence North 33°19'45" West 7.22 feet; Thence South 56°40'15" West 25.00 feet; Thence South 33°19'45" East 25.00 feet to the Point of Beginning and containing 8,437 square feet more or less.

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EXHIBIT B

That portion of Government Lot 5 in Section 31, Township 25 North, Range 5 East, W.M. in King County, Washington, and Tracts 79 and 80 Bellevue Acre and 1/2 Acre Tracts according to the plat recorded in Volume 11 of Plats page 35 and of vacated 100th Avenue S.E. adjoining said tracts 79 and 80 described as follows,

Beginning at the quarter section corner between Sections 31 and 32 in Township 25, Range 5 East, W.M.; thence south on the center line of 100th Avenue Southeast 202.26 feet; thence South 66°01'00" West 431.37 feet along the centerline of S.E. Bellevue Place; thence South 33°58'45" East 30.47 feet more or less to the Southerly line of Bellevue Way Southeast and the true point of beginning; thence South 33°58'45" East 300 feet along the shore of Lake Washington being the southwesterly line of said Government Lot 5. Thence South 33°19'45" East 100 feet also being the southwesterly line of said Government Lot 5; thence North 76°28'56" East 240.48 feet to the south line of said lot 80; thence North 04°10'25" East 124.82 feet more or less to the southerly line of Bellevue Way; thence along the southerly line of said Bellevue Way on a curve right of 157.32 foot radius an arc distance of 85.86 feet; thence North 58°21'00" West 246.07 feet; thence on a curve left 160.99 feet radius an arc distance of 156.32 feet. Thence South 66°01'00" West 26.9 feet more or less to the true point of beginning. Together with shorelands of the 2nd class in front thereof.

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STATE OF WASHINGTON)
) ss
COUNTY OF KING)

On this 10th day of July, 1981, before me the undersigned, a notary public in and for the State of Washington, duly commissioned and sworn, personally appeared Richard L. Benson and Fred Ward to me known to be Commodore and Secretary, respectively, of Meydenbauer Bay Yacht Club, the corporation that executed the foregoing instrument and acknowledged the same to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that they are authorized to execute the said instrument and that the seal affixed is the corporate seal of said corporation.

WITNESS my hand and official seal hereto affixed the day and year in this certificate above written.

Kimberly Sue Conaree
Notary Public in and for the State of Washington, residing at Redmond

STATE OF WASHINGTON)
) ss
COUNTY OF KING)

On this _____ day of _____, 19___, before me the undersigned, a notary public in and for the State of Washington, duly commissioned and sworn, personally appeared _____ and _____ to me known to be _____ and _____, respectively, of _____, the corporation that executed the foregoing instrument and acknowledged the same to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that _____ authorized to execute the said instrument and that the seal affixed is the corporate seal of said corporation.

WITNESS my hand and official seal hereto affixed the day and year in this certificate above written.

_____
Notary Public in and for the State of Washington, residing at

City of Bellevue

Meydenbauer Storm Outfall Maintenance Narrative
Utilities, Water Quality Section

The City of Bellevue Storm & Surface Water section is preparing to conduct regular maintenance of the 60" outfall pipe that discharges into Meydenbauer Bay at the Meydenbauer Yacht Club property located at 9927 Meydenbauer Way SE. The maintenance consists of removing sediments adjacent to the Stormwater pipe, this maintenance is to be performed in accordance with easement requirements between the City and the Yacht Club for the purpose of installing the storm pipe. A copy of the easement is included in the permit package following the narrative.

Sediment accumulation adjacent to the outfall is from sand, dirt and other debris flushed into the Stormwater system. Sediment will removed with a trash pump mounted to a small barge in conjunction with an educator truck, tanks and filters. Prior to sediment removal, crews will setup a containment boom/silt curtain extending about 100 feet into the bay and surrounding the worksite. The boom will contain stirred up sediments and protect fish and wildlife during the vacuum operation. Divers will survey the inside of the boom area prior to sediment removal to ensure no fish or wildlife are inside the containment boom.

The barge will work within the containment boom area and divers will use the barge mounted pump hose to extract/vacuum deposited sediments. Extracted sediment will be pumped on shore to a series of settling tanks and filters located in the Meydenbauer Yacht Club parking lot for dewatering. Water from the vacuuming process will be filtered and discharged into the lake when turbidity readings are 5 NTU or less over the base lake reading. Turbidity will be monitored continuously throughout the duration of the work by a qualified independent contractor.

After sediment material has dewatered it will be hauled to appropriate disposal site in accordance with current regulations. Approximately 150 cubic yards of sediment will be removed. Initial sediment depth readings indicate the sediment levels very similar to those shown in the attached 2014 plan set.

This work was last conducted in 2014. At that time, plans were prepared that outline the work area, elevations and an established baseline for the finished grade. Rather than recreate plans that would be nearly identical, the 2014 plans have been provided. Previous permitting for the work in 2014 began in 2012 and was granted a Determination of Non-Significance in 2006. The previous permit number was 058-135628 WG. A copy of the determination has been provided following this narrative.